

REMARKS

Claims 1-31 were examined and reported in the Office Action. Claims 1-31 are rejected. Claims 1-31 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. Double Patenting

It is asserted in the Office Action that claims 1-31 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-49 of U. S. Patent No. 7,139,808.

Applicant submits a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c), which is enclosed with this response to overcome the non-statutory double patenting rejection.

Accordingly, withdrawal of the non-statutory double patenting rejection for claims 1-31 is respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely 1-31, patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.


Jean Svoboda

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